

("Clean" set of proposed claims:)

D1
2b
E7
1. (Amended) An isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length, wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least $10^8 M^{-1}$.

2. (Amended) The isolated polypeptide of claim 1, wherein the isolated polypeptide is from about 69 to 79 contiguous residues in length.

D2
2b
E7
3. (Twice Amended) The isolated polypeptide of claim 1, wherein the isolated polypeptide consists of SEQ ID NO:1.

D3
2b
E7
8. (Amended) An isolated polypeptide comprising the amino acid sequence of SEQ ID NO:2, or a fragment of SEQ ID NO:2 of about 80 to 419 contiguous residues in length, wherein the C terminal 79 contiguous amino acids are present, wherein at least one N-linked glycosylation site are present, and wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least $10^8 M^{-1}$.

9. (Amended) The isolated polypeptide of claim 8, wherein the isolated polypeptide is from about 350 to 419 contiguous residues in length and three N-linked glycosylation are present.

D4
2b
E7
10. (Twice Amended) The isolated polypeptide of claim 8, wherein the isolated polypeptide consists of SEQ ID NO:2.

D5
2b
E7
18. (Amended) A pharmaceutical composition for treating solid tumors that overexpress HER-2, comprising an agent selected from the group consisting of: (a) an isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length, wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least $10^8 M^{-1}$; (b) an isolated polypeptide comprising the amino acid sequence of SEQ ID NO:2, or a fragment of SEQ ID NO:2 of about 80 to 419 contiguous residues in length, wherein the C terminal 79 contiguous amino acids are present, wherein at least one N-linked glycosylation site are present, and wherein the polypeptide binds to the extracellular domain (ECD) of HER-2 with an affinity binding constant of at least $10^8 M^{-1}$; (c) a

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monoclonal antibody that binds to the extracellular domain(ECD) of HER-2; and (d) combinations thereof, with the proviso that the agent cannot be the monoclonal antibody alone, and a pharmaceutically acceptable carrier.

19. (Amended) The pharmaceutical composition of claim 18, wherein the agent is the isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length.

D5 mb 677
20. (Amended) The pharmaceutical composition of claim 19, wherein the agent is a combination of the isolated polypeptide comprising the amino acid sequence of SEQ ID NO:1, or a fragment of SEQ ID NO:1 of about 50 to 79 contiguous residues in length, and the monoclonal antibody that binds to the extracellular domain (ECD) of HER-2.

rule 124 27 21.
D6 28 22.
(New) An isolated polypeptide consisting of the amino acid sequence of SEQ ID NO:1.

(New) An isolated polypeptide consisting of the amino acid sequence of SEQ ID NO:2.